

Amendments to the Drawings:

Please replace Sheets 2/6 and 4/6 of the Original Figures with new Sheets 2/6 and 4/6 attached hereto. Figures 2A and 4B on Sheets 2/6 and 6/6, respectively, have been amended. Proposed amendments to Figures 2A and 4B on Sheets 2/6 and 4/6 are shown in red on a marked
5 version of Figures 2A and 4B and labeled as “Annotated Sheets Marked to Show Proposed Changes,” which are also attached hereto. In Figures 2A, the element 202 is now labeled and described in the Specification as “optics 202 configured to diffuse and/or filter background light and enhance the sensitivity and/or selectivity of the photo-detector.” In Figure 4B, the reference
10 number 422 has and is described in the Specification as “a reflective lens and a filter 422 positioned in the optical path of the photo-detector.” No new subject matter has been added by way of this amendment.

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the
15 above amendments and arguments set forth fully below. Claims 1-24 were previously pending in
the instant application. Within the Office Action, Claims 1-24 have been rejected. By way of
the above amendments Claims 1, 10 and 20 have been amended and the new Claim 25 has been
added. Accordingly, Claims 1-25 are now pending in this application.

Objection to Specification and Drawings:

The Specification and drawings have been objected under 37 C.F.R. 184(p)(5) for having
a reference number not described in the Specification. Specifically, it is stated within the Office
Action that the reference number 231 shown in Figure 2B is not described in the Specification

The drawing have been further objected to under to under 37 C.F.R. 183(a) for failing to
25 show every feature of the claimed invention. Specifically, it is stated within the Office Action
that the optical configuration for filtering background light from the second receiver, as recited in
Claim 4, is not shown in any of the drawings.

By way of the above amendment, the reference number 231 has been eliminated from the
Figure 2B and Figures 2A-B and 4B have been amended to include numbers, 202 and 422,
30 respectively, to indicate the filtering optics as recited in the Claim 4.

Rejections Under 35 U.S.C. § 102(b)

Within the Office Action, Claims 1, 2, 5, 6, 8-14, 16-18, 20 and 24 have been rejected
under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,375,579 to Hart (hereafter
35 "Hart"). The rejection of Claims 1, 2, 5, 6, 8-14, 16-18, 20 and 24 as being anticipated by Hart is
considered moot in view of the above amendments.

The invention of Hart is directed to an analysis system that monitors a golfers using a
sensor/transmitter that is position on the shaft of the golf club and a sensor/transmitter that is
position between the golfers legs or at a location that is tangent to the trajectory line of the golf
40 club and near to what is being called the object area or object. Note that there is no sensor or
monitoring of the golf club with a sensor/transmitter that is positioned near the target or any
means for monitoring the alignment of an object from the target location. The system of Hart is
designed to analyze the technique of a the golfers swing through optically monitoring the
position of the golfer's club away from the target and near the object. Accordingly the system of
45 Hart has no ability to monitor alignment of the golf's club with a "real target" or monitor a

trajectory of an object from a target position as and the object move towards the object along a path between the object and the target as currently claimed in each of the independent Claims 1, 10 and 20.

5 In contrast to the teaching of Hart the present invention is a system for monitoring the alignment of an object, such as a golf club, as the object moves through a trajectory along a path towards a true target. The system is has a sensor/transmitter unit at a location corresponding to the object and a sensor/transmitter unit located at or near the true target. The sensor/transmitter units are in communication with each other to monitor the alignment of the object in a direct path between the object and the target. Each of the independent Claim 1, 10 and 20 have been now
10 amended to more specifically recite these as well as other distinguishing features.

Specifically, the independent Claim 1 now recites a positioning and alignment device. The positioning and alignment device includes a positioning object with a first receiver for transmitting positioning signals to a target object and for receiving alignment signals from the target object when the positioning object and the target object are aligned in a communication
15 path between the positioning object and the target object. The positioning and alignment device also includes a second transmitter and a second receiver for transmitting the alignment signals from the target object and for receiving the positioning signals at the target object when the positioning object and the target object are aligned in the communication path between the positioning object and the target object. The positioning and alignment device further includes
20 an indicator for indicating when the positioning object and the target object are aligned and for monitoring the trajectory of the positioning object as the positioning object is moved through the communication path between the positioning object and the target object and towards the target object. As described in detail above, Hart fails to teach positioning and alignment device for monitoring the alignment of an object with a target in a path between the object and the target.
25 For at least these reasons, the independent Claim 1 is allowable over the teachings of Hart.

Claims 2, 5, 6 and 8 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Hart. Accordingly, Claims 2, 5, 6 and 8 are also all allowable as being dependent on an allowable base claim.

The independent Claim 10 now recites a system for tracking a trajectory of an object
30 relative to a target area. The system includes means for generating positioning signals to the target and from the object in a direction corresponding to the trajectory of the object in a path between the object and the target area, means for detecting the positioning signals at the target area when the object is laterally aligned with the target area and in a path between the object and

the target area, means for generating the alignment signals at the target area when the positioning signals are detected and means for detecting the alignment signals at the object. As described in detail above, Hart fails to teach positioning and alignment device for monitoring the alignment of an object with a target in a path between the object and the target. For at least these reasons, the independent Claim 1 is allowable over the teachings of Hart.

Claims 11-14 and 16-18, are all dependent on the independent Claim 10. As described above, the independent Claim 1 is allowable over the teachings of Hart. Accordingly, Claims 11-14 and 16-18 are also all allowable as being dependent on an allowable base claim.

The independent Claim 20 is nor recites a positioning and alignment system for monitoring a trajectory of an object along a path towards a target. The system includes a target unit for positioning near the target and a positioning unit for coupling to] the object. The positioning unit communicates a positioning signal to the target unit along the path and the target unit communicates an alignment signal to the positioning unit along the path when the positioning unit and the target unit are in alignment. The system further monitors the trajectory of the object as the object moves along the path towards the target. As described in detail above, Hart fails to teach positioning and alignment device for monitoring the alignment of an object with a target in a path between the object and the target. For at least these reasons, the independent Claim 20 is allowable over the teachings of Hart.

Claim 24 is dependent on the independent Claim 20. As described above, the independent Claim 20 is allowable over the teachings of Hart. Accordingly, Claim 24 is also allowable as being dependent on an allowable base claim.

Within the Office Action, Claims 20, 21 and 22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,979,745 to Kobayashi (hereafter "Kobayashi"). The rejection of Claims 20, 21 and 22 as being anticipated by Kobayashi is considered to be moot in view of the above amendments. Applicant contends that the rejection of Claims 20, 21 and 22 is moot, for similar reason to those described above with reference to Hart.

Specifically, like the system of Hart, the system of Kobayashi monitors a golfer's swing using a sensor/transmitter that is position on a golf club and a sensor/transmitter that tangent to the swinging direction of the golf club and does not include sensor/transmitter unit at a target location for aligning and monitoring the trajectory of an object for a path between the target and the object as it moves towards the target, such as recited in the independent Claim 20.

Claims 21 and 22 both dependent on the independent Claim 20. As described above, the independent Claim 20 is allowable over the teachings of Kobayashi. Accordingly, Claims 21 and 22 are also both allowable as being dependent on an allowable base claim.

Rejections Under 35 U.S.C. § 103(a)

Within the Office Action, Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hart; Claims 4, 7, 15 and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hart in view of U.S. Patent No. 6,095,928 to Goszyk; Claim 23 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of U.S. Document No. 2002/0173365 to Boscha; and Claim 24 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi.

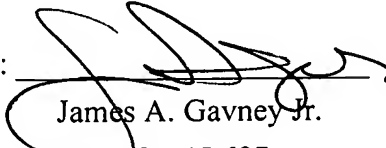
Claims 3, 4 and 7 all dependent on the independent Claim 1; Claims 15 and 17 are both dependent on the independent Claim 10; and Claims 23 and 24 are both dependent on the independent Claim 20. As described above, the independent Claims 1, 10 and 20 are all allowable over the teachings of Hart. Accordingly, Claim 3, 4, 7, 15, 17, 23 and 24 are also allowable as being dependent on an allowable base claims.

Applicant would also like to state that other distinguishing features that are not taught or suggested alone in the prior art, in combination with other features of the claimed invention include, an indicator or display for indicating when the positioning object and the target object are aligned within a communication pathway, especially when positioning unit includes the indicator, such as recited in the new Claim 25, the optical configuration for projecting the laser light into an elongated laser beam, such as recited in the Claim 3 and the second optical configuration for filtering background light from the second receiver, such as recited in the Claim 4.

For all of the reasons given above, the Applicant respectfully submits that Claims 1-25 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 8/22/2006

By: 
James A. Gavney Jr.
Reg. No. 45,687

Agent for Applicant(s)

CERTIFICATE OF MAILING (37 CFR § 1.8(a))
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HAVERSTOCK & OWENS LLP

Date: 8/22/06 By: 



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Annotation sheet
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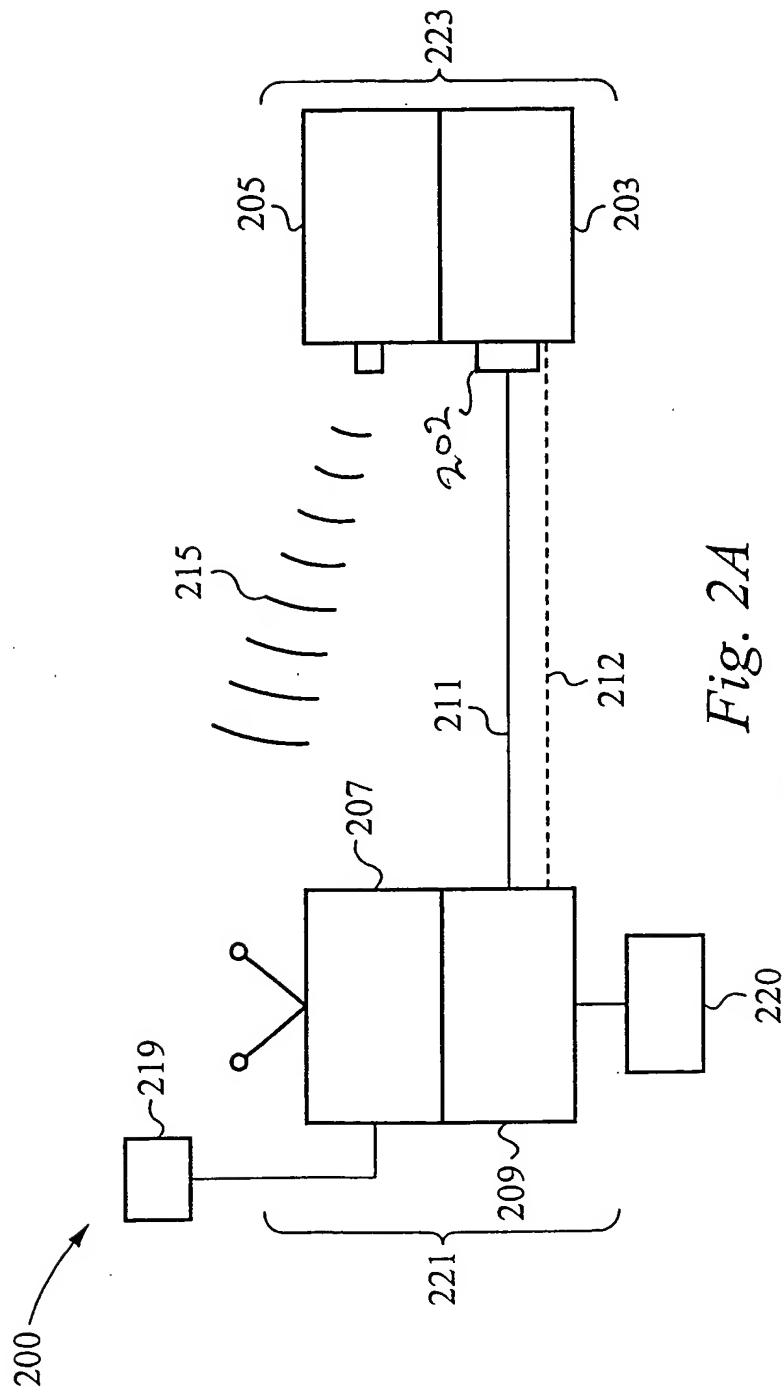


Fig. 2A

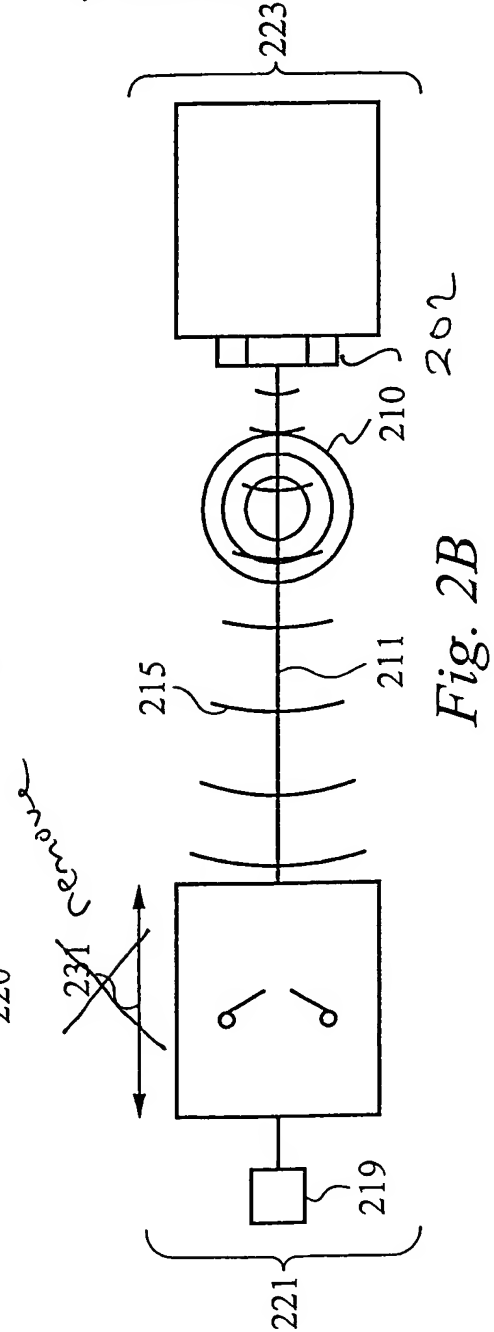


Fig. 2B



4/6

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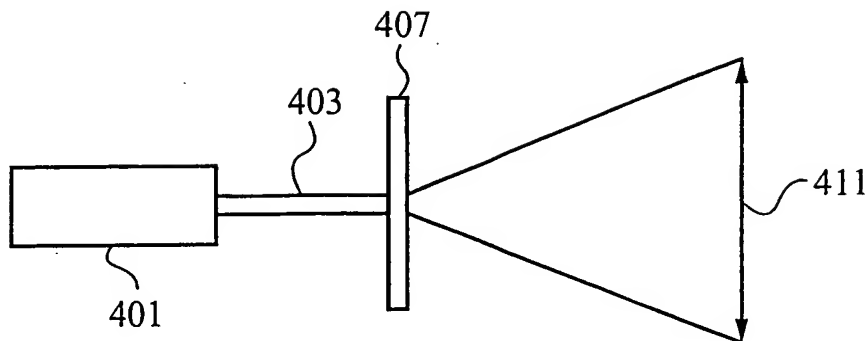


Fig. 4A

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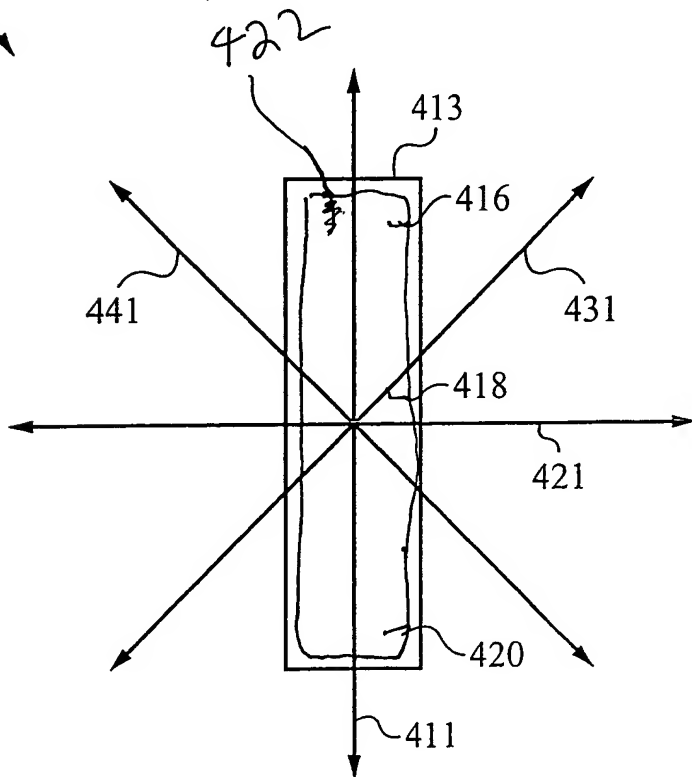


Fig. 4B